

# Focus On: Conditional “No Exposure”



## Reduce Your Exposure to Stormwater Rules

Federal stormwater regulations require most categories of industrial facilities in Washington to apply for the Department of Ecology’s (Ecology) Industrial Stormwater General Permit (permit). However, certain facilities may qualify for a Conditional “No Exposure” (CNE) Exemption.

## Is my industrial facility eligible for a Conditional “No Exposure” Exemption?

### For More Information

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Facilities are eligible for a CNE Exemption if there is “no exposure” of industrial materials and activities to rain, snow, snow melt, and/or runoff. To obtain a CNE Exemption you must answer the *eleven* questions below and certify that none of the following materials or activities are, or will be in the near future, exposed to precipitation.

***If any of your answers are yes, you do not qualify for this exemption.***

1. Is anyone using, storing or cleaning industrial machinery or equipment in an area that is exposed to stormwater, or are there areas where residuals from using, storing or cleaning industrial machinery or equipment remain and are exposed to stormwater?
2. Are there materials or residuals on the ground or in stormwater inlets from spills/leaks?
3. Are materials or products from past industrial activity exposed to precipitation?
4. Is material handling equipment used/stored (except adequately maintained vehicles)?
5. Are materials or products exposed to precipitation during loading/unloading or transporting activities?
6. Are materials or products stored outdoors (except final products intended for outside use, e.g., new cars, where exposure to storm water does not result in the discharge of pollutants)?
7. Are materials contained in open, deteriorated or leaking storage drums, barrels, tanks, and similar containers?
8. Are materials or products handled/stored on roads or railways owned or maintained by the discharger?
9. Is waste material exposed to precipitation (except waste in covered, non-leaking containers, e.g., dumpsters)?
10. Does the application or disposal of process wastewater occur (unless otherwise permitted)?
11. Is there particulate matter or visible deposits of residuals from roof stacks/vents not otherwise regulated, i.e., under an air quality control permit, and evident in the storm water outflow?

## I think I am eligible for a CNE exemption – How do I apply?

Facilities that meet the 11 CNE eligibility criteria must submit an online No Exposure Certification Form to Ecology.

### *Follow the steps below:*

1. Sign up for a SecureAccess Washington (SAW) account  
(If you already have a SAW account, go to Step 3)
  - Go to: <https://secureaccess.wa.gov/>.
  - Complete the 6 part sign-up sequence.
  - Enter your information including your name and email address.
  - You will receive an email confirmation. Click on the link in the email.
2. Add service for WQWebPortal
  - Login to SecureAccess Washington.
  - Under “Add a new Service,” click on Department of Ecology.
  - Look for “Water Quality Permitting Portal (WQWebPortal)” and click on “Apply” in the left column.
3. Under the My Services tab
  - Click on the Water Quality Permitting Portal (WQWebPortal).
  - Click on the Conditional No Exposure (CNE) link on the portal home page.
  - Select “Apply [or Re-apply] for a Conditional No Exposure (CNE) Exemption.”
4. Fill out the entire application
  - If you are re-applying, use the CNE Number that was mailed to you.
5. Sign your application
  - Using the option “Print and Sign” for your signature.
  - Sign the form and return to the address on the signature page.

### Special accommodations

To request ADA accommodation or materials in a format for the visually impaired, call Ecology at 360-407-6600 or visit [www.ecology.wa.gov/accessibility](http://www.ecology.wa.gov/accessibility).

People with impaired hearing may call Washington Relay Service at 711. People with speech disability may call TTY at 877-833-6341.

### What happens next?

Ecology informs the applicant in writing or electronically within 90 days from receipt of a complete and accurate No Exposure Certification Form that it has approved or denied the request. If Ecology does not respond within 90 days from receipt of a complete and accurate No Exposure Certification Form, facilities are automatically granted a CNE exemption.